REMARKS

Claim 65 has been amended to remove the indefiniteness and more clearly state that some of the structural strands recited in line 4 of the claim extend in substantially a circumferential direction. The structural strands have been referred to in element A of claim 65; in element B further limitations or requirements are placed on some of the structural strands. Such requirements include anti-kink characteristics, exposure to both inside and outside of the tubular member, and continuous contact with neighboring strands. Claims 66 and 67 have been similarly amended to remove the indefiniteness.

Claims 66 and 67 have been rejected as unpatentable over Greenhalgh (6,192,944) in view of Schmitt 5,383,925). In Fig 4c of Greenhalgh, he shows a strand, 42 which is intended to hold a stent 26 onto his graft; this strand 42 has a larger diameter and extends in the axial direction to hold a zig zag stent that is located circumferentially around the graft. Greenhalgh explains in C5, L24 and L38 that selecting the properties of the second yarn is important for improved attachment of a structural member to the graft. Greenhalgh further states in C4, L28 and L35 that his structural member is stent 26 and does not teach or imply that the strand 42 has a structural functionality as defined by the Applicants' teachings.

Strand 42 will not work in the Greenhalgh device to hold his structural stent 26 if strand 42 extends with substantially a circumferential direction as required by Applicants' independent claims 65-67 due to the angle it would make with respect to the circumferentially directed stent. Furthermore, strand 42 of Greenhalgh is not formed by replacing one of the circumferential strands as required by Applicants' independent claims 65-67, it is formed by replacing an axial strand. The Greenhalgh strand 42 also does not inherently provide for anti-kinking characteristics because axially directed strands do not allow for changes in axial length which is typically needed to allow for good anti-kinking characteristic. Greenhalgh provides his structural element to his tubular member via his stent 26. In Greenhalgh the stent member is used as the

structural member of the device. The properties and recommended materials of construction of the Greenhalgh stent 26 are consistent with the structural strands that are the structural members of the applicant's device. Thus, the Greenhalgh strand 42 is not a structural strand as described by the Applicants; it is an attachment strand used to hold his stent 42 in place. In Greenhalgh the warp yarns 34 are divided into two groups, sub classed as warp yarns 40 and 42. They along with the weft yarns 36 make up the graft component of the device. The sealing ability and other properties and recommended materials of construction for both strands 40 and 42 are consistent with the properties and materials of construction of the flexible strands which make up the graft component of the applicants device. Strand 42 therefore is not a structural strand as described by the Applicants' specification because it does not convey any of the properties required by the Applicants' structural strand.

Applicants' device as described in claims 66 and 67 describes that at least some of the second strands with the specific requirements (i.e., holding the vessel outwards and providing anti-kinking) extend in substantially the circumferential direction, and this is not taught or anticipated in the Greenhalgh device. Claims 66 and 67 have been amended to indicate this structure. The Schmitt device does not provide any anti-kink characteristics via the presence of a circumferentially directed strand. Schmitt gains his anti-kink characteristics via movement between braided strands that form a scissoring action. The Schmitt invention is intended to stop the length change of his braided graft due to the scissoring by either running an axial strand to prevent length changes or by providing multiple interlocking layers of his wall thickness. It is not obvious to angle the stands of Greenhalgh in view of Schmitt because angling of the Greenhalgh strands leads to length changes in the graft of which Schmitt is attempting to fix. Schmitt states in C1, L67 that conventional braided prostheses have been tried in the past; however, due to their shortcomings, such prostheses have never been commercialized. These shortcomings are related to the changes in diameter and length when exposed to internal

forces. Additionally, the Greenhalgh device gains his kink resistance via the presence of his stent 26 and would not need to add angled fibers such as described by Schmitt.

The Applicants provide the structural strand (or second strand) into the structure of the device by replacing one of the circumferential flexible (or circumferential first) strands; this is not taught or anticipated by Greenhalgh in view of Schmitt because Greenhalgh gains his structural element from his stent which is held in place by an additional axial strand not by replacing a circumferential strand and Schmitt gains anti-kinking via a scissoring action of his braided strands as described earlier. Although Schmitt does show strands that have an angle with respect to the axis, he also does not teach or anticipate that such a strand is providing for the characteristics of Applicants' structural strand such as providing anti-kink. Also, angling of a strand such as strand 42 found in Greenhalgh with an angle such as described in by Schmitt would interfere with the function of the stent 42 of Greenhalgh by limiting the ability of the stent 26 and the tubular member to collapse to a smaller diameter. The Greenhalgh device provides for such collapse by allowing the stent 26 to collapse and is not restricted by a circumferentially directed strand that would restrict this motion.

Schmitt does not teach or suggest that replacing one of his flexible strands with a structural strand could be used to attain anti-kinking characteristics for his tubular member. Schmitt gets his anti-kinking characteristics from the scissoring effects of one strand moving with respect to the other. Therefore neither Greenhalgh or Schmitt or used in combination make it obvious to use a structural strand with substantial circumferential componency and interwoven as described by the Applicants to provide the device with characteristics described by the Applicants in their independent claims.

Claim 87 has been amended to make it less confusing and describe the recited structural strands more clearly.

The Applicants' would appreciate any assistance offered by the Examiner to help put these claims in a condition for allowance.

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